

*Human Rights*

right to be represented by a person of its choice when voters are listed in an urban riding.

I do not know that the Prime Minister, who was then sitting in the opposition, ever protested against that bill 34. Had he done so, his followers would have a much better chance now of setting up their leader as the champion of human rights.

Moreover, let us see what article 2(a) of Bill C-79 says:

—the right of the individual to life, liberty, security of the person and enjoyment of property, and the right not to be deprived thereof except by due process of law;

In this regard we all remember a proud riding in the province of Quebec where for many years voters were deprived of a badly needed bridge simply because they persisted in sending to the legislature a member of the opposition, in spite of a premier's threats.

**Mr. Keays:** That is untrue.

**Mr. Deschatelets:** Article (2d) says:

Freedom of speech;

We might also recall the threat made by a former provincial premier to a television commentator, of establishing a Quebec television network if that commentator were again heard over station CBF after his defeat at the polls.

Those are just a few instances showing how much we need an effective bill of rights, to protect man's basic freedoms.

When, especially yesterday, I listened to the impassioned oratory of hon. members opposite with regard to this rather incomplete bill, I would have placed much more value to their remarks if, at the time I have just referred to, hon. members of the Conservative party had not tacitly condoned those violations of human rights.

In everyday life, Mr. Speaker, custom and usage have conferred upon us many rights, privileges and essential freedoms that are not even mentioned in this bill. This was pointed out by the hon. member for Essex East (Mr. Martin) in his speech, on page 5731 of *Hansard* for July 5, 1960, in which he dealt with the economic rights of the Canadian citizen. In this regard, may I digress a moment and mention a fundamental right that is recognized by the United Nations' charter, one that will surely be made the subject of future legislation in this house, and I mean the right to work.

[Mr. Deschatelets.]

I am not prepared to agree that, in the present economic context we should guarantee the right to work to the head of the family, but I believe this is a matter which could have been considered in all its aspects by a committee where experts might have been called, because we must not forget that the civil code of the province of Quebec includes a section—I believe there is a similar section in the common law—which reads as follows:

By the mere fact of marriage, husband and wife contract the obligation to maintain and bring up their children.

Besides, the Criminal Code provides for the arrest, for failure to support, of any head of a family who fails in this obligation. Therefore, if it is true that, for any obligation that is imposed on a citizen, the state has a duty towards him, if it is true that the legislator has imposed on the Canadian citizen this obligation to feed and support his family, I believe it is only fair and legitimate that this same legislator give this man an opportunity to fulfil that obligation. But, with the present situation of unemployment in this country, I suggest that a bill of human rights is quite incomplete if it does not cover economic rights, as Bill C-79 fails to do.

I appreciate that the human rights outlined in this bill deal only with rights within federal jurisdiction, but the Prime Minister is aware, I hope, that in the province of Quebec, to mention only that one, this bill is already causing great concern. The general view is that, in spite of the Prime Minister's assurance, the bill strikes at the very root of civil law and that its interpretation by various courts might finally upset the whole civil code of the province.

I shall only deal briefly with this very important aspect of the matter, but this indicates clearly the ineffectiveness of a bill of rights, from a practical point of view, without the contribution and co-operation of the provinces. On page 5731 of *Hansard* for July 5, the hon. member for Essex East clearly emphasized the legal controversy that could follow upon the adoption of this bill when he said:

Property and civil rights is a cornerstone of provincial authority in our country. They are as sovereign in the exercise of their competencies under section 92 of the British North America Act as we are in the exercise of our powers under section 91. The trouble that will ensue, that is to say the legal controversy that will develop, let alone the political difficulties that will follow, are so apparent that I would hope that when we do reach the committee stage there will be no difficulty in reconciling the situation.